

## **REMARKS**

Claims 1-12 stand rejected as being anticipated by U.S. Pat. No. 5,898,893 (Alfke), and claims 13 and 14 stand rejected as being unpatentable over Alfke. Claims 1-14 remain active in this application. Reconsideration of the rejections is hereby solicited in view of the following remarks.

The specification was amended as requested by the Examiner to correct a typographical oversight. Claims 1, 8 and 12 were amended to more distinctly emphasize aspects of the present invention.

Regarding any rejection under §102, it is noted that the test for anticipation is whether all the elements and operational relationships of the rejected claim are found within a single prior art reference. There must not be any differences between the claimed invention and the reference disclosure as viewed by a person of ordinary skill in the art. Absent from the reference disclosure of any claim element and/or operational interrelationship negates anticipation under §102.

Claim 1 is directed to a method for asynchronously transferring data by way of a buffer device. A plurality of buffer segments is defined in the buffer device. A filling action allows to fill respective ones of the buffer segments with data from a data source device. Upon any respective buffer segment being filled up with such data, a generating action allows to generate an indication of availability of the data contents of the respective buffer segment for transfer to a data destination device.

By way of comparison, Alfke discloses a technique where the contents of a read address counter and a write address counter are both used to determine whether a FIFO memory is empty or full. Alfke expressly states that his method allows determining whether the FIFO memory is empty or full (See Col. 2, line 2 et. seq.). That is, Alfke does not define any buffer segments for his FIFO memory. Alfke does mention at Col. 2, line 18 et. seq., a circular sequence divided into three or more segments, however, these segments are in the write address counter and not in the buffer device as set forth in claim 1. Similarly,

Alfke states at Col. 2, line 24 et. seq. that his read address counter is configured to increment the read address in the same circular sequence as the write address. The circular sequence of the read address is divided into the same segments as the circular sequence of the write address. This is very different from the relationships set forth in claim 1 of defining buffer segments and filling such buffer segments with the actual data to be transferred to the data destination device.

The concept of buffer segments that are either filled (or drained) with the actual data to be transferred is simply not taught or suggested by Alfke. In fact, it is felt that Alfke teaches away from the concepts of the present invention, since Alfke relies on a comparison between the read and write address counters to determine whether his FIFO memory is empty or full. The concept of address counter comparison is not utilized in the data transfer techniques of the present invention. In view of the foregoing remarks, it is respectfully submitted that Alfke cannot validly anticipate claim 1 under the statutory standards of § 102. Since each of the dependent claims from independent claim 1 includes the structural and/or operational relationships respectively recited in such independent claim, it is also respectfully submitted that Alfke also fails to anticipate each of such dependent claims.

Claim 8 is directed to a data transfer controller for asynchronously transferring data by way of a buffer device. The controller in part comprises a buffer-segment module configured to define a plurality of buffer segments being filled with data, not addresses. As discussed above, Alfke cannot teach or suggest any buffer-segment module configured to define a plurality of buffer segments. The concepts of Alfke rely on segments in a read counter and a write counter and are very different from the relationships set forth in claim 8 and any dependent claims depending from claim 8. Consequently, Alfke also fails to anticipate claim 8 and any dependent claims from claim 8.


Claim 12 is directed to a system for asynchronously transferring data. As discussed above, Alfke does not teach or suggest any buffer-segment module configured to define a plurality of buffer segments in a buffer device. Again, the

concepts of Alfke rely on segments in a read counter and a write counter and are so different from the relationships set forth in claim 12 and any dependent claims depending from claim 12 that Alfke fails to anticipate or render obvious any of such claims. For example, the concepts of data word transfers as set forth in claims 13 and 14 are inapposite to the concepts of Alfke that deal with a circular address space divided into at least three segments (See Abstract of Alfke).

It is respectfully submitted that each of the claims pending in this application recites patentable subject matter and it is further submitted that such claims comply with all statutory requirements and thus each of such claims should be allowed.

The applicant appreciates the Examiner's efforts for conducting a thorough examination, and cordially invites the Examiner to call the undersigned attorney if there are any outstanding items that may be resolved via telephone conference.

Respectfully submitted,

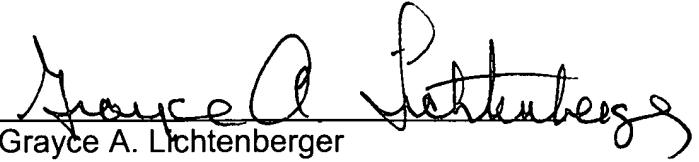


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I hereby certify that a true and correct copy of the above Amendment was furnished by First Class Mail to the Commissioner of Patents, MAIL STOP FEE AMENDMENT, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2<sup>nd</sup> day of December, 2003.

  
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Grayce A. Lichtenberger